

1
2 BILL NO. G-77-08-35

3 GENERAL ORDINANCE NO. G-42-77

4 AN ORDINANCE amending General
5 Ordinance No. G-97 by authorizing
6 the vacation of subdivision,
street and easement.

7 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
8 OF FORT WAYNE, INDIANA:

9 SECTION 1. Petition for the vacation of a certain
10 subdivision, street and easement having been filed with the
11 Fort Wayne City Plan Commission in accordance with Section 44,
12 Chapter 174 of the Acts of the General Assembly of the State
13 of Indiana, as amended by Section 3, Chapter 385, of the
14 Acts of 1963 of the General Assembly of the State of Indiana,
15 I.C. 18-7-5-46, the Thoroughfare Plan as set forth in General
16 Ordinance No. G-97 adopted by the Common Council of the City
17 of Fort Wayne on November 26, 1963, is amended by deleting
18 the following, to-wit:

19 Springbrook Road in its entirety, Applewood Road
20 from a line connecting the westernmost corner of
21 Lot No. 343 with a point on the southernmost line
22 of Lot No. 276 which point is 23.92 feet from the
23 southernmost corner of Lot No. 276, northeasterly
24 its entire length within the Plat of Springwood,
25 Section II; and Peartree Lane from a line connecting
the southernmost lines of Lots No. 247 and 298,
northerly to its intersection with Springbrook Road,
all located within the Plat of Springwood, Section II,
a subdivision to Fort Wayne, Indiana, recorded in
Plat Book 30, Page 73, in the Office of the Recorder
of Allen County, Indiana, also

26 Lots No. 247 thru 276 inclusive and Lots No. 298
27 thru 343 inclusive in the Plat of Springwood,
28 Section II, a subdivision of Fort Wayne, Indiana,
recorded in Plat Book 30, Page 73 in the Office of
the Recorder of Allen County, Indiana, also

29 All easements in, over or upon Lots No. 247 thru
30 276 inclusive and Lots No. 298 thru 343 inclusive
31 and all easements in, over or upon those portions
32 of Springwood Road, Applewood Road and Peartree Lane
33 described above, located in the Plat of Springwood,
34 Section II, a subdivision to Fort Wayne, Indiana,
35 recorded in Plat Book 30, Page 73 in the office
of the Recorder of Allen County, Indiana.

SECTION 2. After passage of this Ordinance, approval
by the Mayor and legal publication, a duly certified copy of

APPROVED AS TO FORM
AND LEGALITY,

James J. Bantz
CITY ATTORNEY

1
2 this Ordinance, or the recommendation of the Fort Wayne City
3 Plan Commission, and of the action of the Mayor, shall be
4 transmitted by the City Clerk to the Board of Public Works
5 of the City of Fort Wayne, Indiana.

6 SECTION 3. This Ordinance shall be in full force
7 and effect from and after its passage, approval by the Mayor,
8 and legal publication thereof.

9
10 Vivian G. Schmitt
11 Councilman
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Read the first time in full and on motion by J. Schmidt, seconded by
Hunter, and duly adopted, read the second time by title and referred to the
Committee on Regulations (and the City Plan Commission for
recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers,
City-County Building, Fort Wayne, Indiana, on _____, the _____ day
of _____, 1977, at _____ o'clock _____ M., E.S.T.

DATE: 8-23-77.

Charles W. Blushman
CITY CLERK

Read the third time in full and on motion by J. Schmidt,
seconded by Hinga, and duly adopted, placed on its passage.

PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	<u>0</u>	_____	_____	_____
<u>BURNS</u>	<u>X</u>	_____	_____	_____	_____
<u>HINGA</u>	<u>X</u>	_____	_____	_____	_____
<u>HUNTER</u>	<u>X</u>	_____	_____	_____	_____
<u>MOSES</u>	<u>X</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	<u>X</u>	_____	_____	_____	_____
<u>STIER</u>	<u>X</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>X</u>	_____	_____	_____	_____

DATE: 11-8-77

Charles W. Blushman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
(ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ^{Ordinance} ORDINANCE
(RESOLUTION) No. 2-42-77 on the 8th day of November, 1977.
ATTEST: (SEAL)

Charles W. Blushman
CITY CLERK

John Nuckols
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th
day of November, 1977, at the hour of 11:45 o'clock A M., E.S.T.

Charles W. Blushman
CITY CLERK

Approved and signed by me this 10th day of November, 1977
at the hour of 10:00 o'clock A M., E.S.T.

Rakes Elumchong
MAYOR

Bill No. G-77-08-35

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending General Ordinance No. G-97 By authorizing the vacation of subdivision,
street and easement

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance also PASS.

VIVIAN G. SCHMIDT - CHAIRMAN

WINFIELD C. MOSES, JR. - VICE CHAIRMAN

WILLIAM T. HINGA

DONALD SCHMIDT

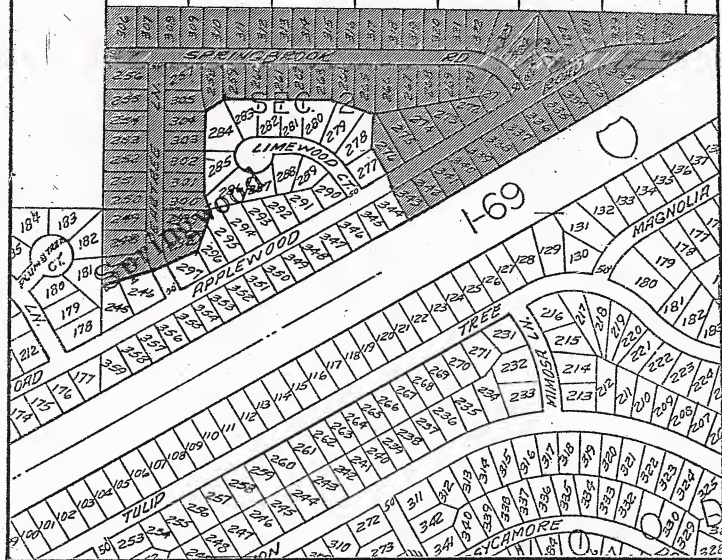
SAMUEL J. TALARICO

Vivian G. Schmidt
Winfield C. Moses, Jr.

William T. Hinga
Donald Schmidt
Samuel J. Talarico

11-8-77 CONCLUDED IN
DATE _____ CHARLES W. WESTERMAN, CITY CLERK

CLEARVIEW ADD.



STREETS TO BE VACATED AND LOTS

9-22-76=

C-21

L.S.

G-77-08-35



4/77

R E S O L U T I O N

WHEREAS, AMOS D. DELAGRANGE and NATIONAL HOMES CONSTRUCTION CORPORATION, have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following described property and streets in Allen County, Indiana, to-wit:

Springbrook Road in its entirety, Applewood Road from a line connecting the westernmost corner of Lot No. 343 with a point on the southernmost line of Lot No. 276 which point is 23.92 feet from the southernmost corner of Lot No. 276, northeasterly its entire length within the Plat of Springwood, Section II; and Peartree Lane from a line connecting the Southernmost lines of Lots No. 247 and 298, northerly to its intersection with Springbrook Road, all located within the Plat of Springwood, Section II, a subdivision to Fort Wayne, Indiana, recorded in Plat Book 30, Page 73, in the Office of the Recorder of Allen County, Indiana, also

Lots No. 247 thru 276 inclusive and Lots No. 298 thru 343 inclusive in the Plat of Springwood, Section II, a subdivision to Fort Wayne, Indiana, recorded in Plat Book 30, Page 73 in the office of the Recorder of Allen County, Indiana, also,

All easements in, over or upon Lots No. 247 thru 276 inclusive and Lots No. 298 thru 343 inclusive and all easements in, over or upon those portions of Springwood Road, Applewood Road and Peartree Lane described above, located in the Plat of Springwood, Section II, a subdivision to Fort Wayne, Indiana, recorded in Plat Book 30, Page 73 in the office of the Recorder of Allen County, Indiana.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code Section 18-7-5-46; and,

WHEREAS notice of such public hearing will be given by due and proper publication thereof;

WHEREAS, said vacation of easements, streets and lots has been routed thru the following Departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and thru the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said public streets, easements and lots, hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED BY the Board of Public Works that the vacation of said easements, streets and lots hereinbefore described, be and the same is approved subject to the following:

a. Required easement as requested by General Telephone Company

BE IT FURTHER RESOLVED no public utility occupying and using said street, easements and lots or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

STATE OF INDIANA }
COUNTY OF ALLEN } SS:

I, Ethel H. LaMar, ^{MEMBER} Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works following a Board of Works Meeting held on September 14, 1977, and as the same appears of record in the official records of said Board of Public Works.

Dated this 14 DAY OF September, 1977.

FORT WAYNE BOARD OF PUBLIC WORKS

Henry P. Wehrenberg, Chairman

Ethel H. LaMar
Ethel H. LaMar, Member

Max G. Scott
Max G. Scott, Member

R E S O L U T I O N

WHEREAS, AMOS, D. DELAGRANGE and NATIONAL HOMES CONSTRUCTION CORPORATION, have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following described property and streets in Allen County, Indiana, to-wit:

Springbrook Road in its entirety, Applewood Road from a line connecting the westernmost corner of Lot No. 343 with a point on the southernmost line of Lot No. 276 which point is 23.92 feet from the southernmost corner of Lot No. 276, northeasterly its entire length within the Plat of Springwood, Section II; and Peartree Lane from a line connecting the Southernmost lines of Lots No. 247 and 298, northerly to its intersection with Springbrook Road, all located within the Plat of Springwood, Section II, a subdivision to Fort Wayne, Indiana, recorded in Plat Book 30, Page 73, in the Office of the Recorder of Allen County, Indiana, also,

Lots # 247 thru #276 inclusive and Lots No. 298 thru # 343 inclusive in the Plat of Springwood, Section II, a subdivision to Fort Wayne, Indiana, recorded in Plat Book 30, Page 73, in the Office of the Recorder of Allen County, Indiana, also,

All easements in, over or upon Lots # 247 thru 276 inclusive and Lots No. 298 thru 343 inclusive and all easements in, over or upon those portions of Springwood Road, Applewood Road and Peartree Lane described above, located in the Plat of Springwood, Section II, a subdivision to Fort Wayne, Indiana, recorded in Plat Book 30, Page 73, in the Office of the Recorder of Allen County, Indiana.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 18-7-5-46,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on October 17, 1977, at 7:30 o'clock, p.m., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public streets and property.

WHEREAS, said vacation of portion of subdivision and streets has been routed thru the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Water Engineering, Electrical Engineering, Park Board and thru the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public streets and portion of subdivision, hereinbefore described, conforms to the General policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said portion of subdivision and public streets, hereinbefore described be and the same is hereby approved subject to the following:

- a. Required easement as requested by General Telephone Company

BE IT FURTHER RESOLVED no public utility occupying and using said portion of subdivision, streets or easements, or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forward to the proper governing body having jurisdiction of the vacation portion of subdivision and public streets in Allen County, Indiana.

STATE OF INDIANA }
 } SS
COUNTY OF ALLEN }

I, Joseph N. Adair, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held on October 17, 1977, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 28th DAY OF October, 1977

FORT WAYNE CITY PLAN COMMISSION

Joseph N. Adair

Joseph N. Adair
Secretary

PETITION TO VACATE PLATTED LOTS

TO: City Plan Commission, City of Fort Wayne, Indiana
and Common Council, City of Fort Wayne, Indiana

Gentlemen:

The undersigned, Amos D. Delagrang and National Homes Construction Corporation, do hereby respectfully petition the Plan Commission and Common Council of the City of Fort Wayne to vacate the following platted lots, streets and easements within the City of Fort Wayne, described as follows:

Springbrook Road in its entirety, Applewood Road from a line connecting the westernmost corner of Lot No. 343 with a point on the southernmost line of Lot No. 276 which point is 23.92 feet from the southernmost corner of Lot No. 276, northeasterly its entire length within the Plat of Springwood, Section II; and Peartree Lane from a line connecting the southernmost lines of Lots No. 247 and 298, northerly to its intersection with Springbrook Road, all located within the Plat of Springwood, Section II, a subdivision to Fort Wayne, Indiana, recorded in Plat Book 30, Page 73, in the Office of the Recorder of Allen County, Indiana, also

Lots No. 247 thru 276 inclusive and Lots No. 298 thru 343 inclusive in the Plat of Springwood, Section II, a subdivision to Fort Wayne, Indiana, recorded in Plat Book 30, Page 73 in the office of the Recorder of Allen County, Indiana, also

All easements in, over or upon Lots No. 247 thru 276 inclusive and Lots No. 298 thru 343 inclusive and all easements in, over or upon those portions of Springwood Road, Applewood Road and Peartree Lane described above, located in the Plat of Springwood, Section II, a subdivision to Fort Wayne, Indiana, recorded in Plat Book 30, Page 73 in the office of the Recorder of Allen County, Indiana.

Your petitioners represent that:

1. They are the owners of all of said platted lots sought to be vacated.
2. All other persons, firms or corporations interested in or affected by the requested vacation have joined with petitioners in an action to vacate said lots, streets and easements in the Allen Circuit Court under Cause No. CC-76-798, which petition was granted by the Court July 22, 1977.
3. Your petitioners, being the owners of said described lots, wish to replat said lots into Orchard Woods, Section I, in order to increase the size of the lots and make them more readily saleable and more suitable for construction.
4. The vacation of said platted lots, streets and easements, as requested, will affect no one other than your petitioners and those parties having joined your petitioners in the action in the Allen Circuit Court.
5. Your petitioners would finally show that the final plat for Orchard Woods, Section I, has been approved and that implementation of said plat will be advantageous to the growth of the City of Fort Wayne, and the citizens thereof and that it would be in the best interest of said city and the citizens thereof, as well as the petitioners and the abutting owners to vacate said platted lots, streets and easements to enable petitioners to record the plat of Orchard Woods, Section I, and develop same in accordance with that plat.

WHEREFORE, your petitioners pray that the platted lots, streets and easements be vacated according to the provisions of the Indiana Law pertaining thereto.

Amos D. Delagrangé
(Amos D. Delagrangé)

NATIONAL HOMES CONSTRUCTION CORP.

BY: Robert J. M. [Signature]

Its Ey Via Board [Signature]

DIGEST SHEET

TITLE OF ORDINANCE Subdivision / street vacation ordinance *S-77-08-2*DEPARTMENT REQUESTING ORDINANCE CITY PLAN COMMISSION

SYNOPSIS OF ORDINANCE Petitioners are requesting the vacation of the
following described property: Springbrook Road in its entirety, Portion of Applewood
Road, portion of Peartree Lane....Lots # 247 thru # 276 inclusive and Lots # 298
thru 343 inclusive in the Plat of Springwood, Section II, and all easements in or over
the above mentioned streets, and portions thereof, and above mentioned lots.

EFFECT OF PASSAGE If vacation, petitioners are submitted a new platted
subdivision.

EFFECT OF NON-PASSAGE If not vacated, subdivision will remain platted as is.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.) _____

Regulation



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

room 122

charles w. westerman, clerk

November 14, 1977

Ms. Virginia Grace
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of November 18 and November 25, 1977, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana

Bill No. Z-77-09-23
Zoning Map Ordinance No. Z-33-77

Bill No. Z-77-08-32
Zoning Map Ordinance No. Z-32-77

Bill No. Z-77-08-31
Zoning Map Ordinance No. Z-31-77

Bill No. G-77-08-35
General Ordinance No. G-42-77
Vacation of subdivision, street and
easement

Please send us five (5) copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Charles W. Westerman
City Clerk

CWW/ne
ENCL: 4

Common Council of Fort Wayne
(Governmental Unit)

To THE NEWS-SENTINEL

Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

Notice is hereby given that on the 8th day of November, 1977, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-77, 08-35, G-42-77 General Ordinance, to wit:

BILL NO. G-77-08-35
GENERAL ORDINANCE NO. G-42-77
AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of subdivision, street and easement.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain subdivision, street and easement having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts 1963 of the General Assembly of the State of Indiana, I.C. 18-7-5-6, the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following, to-wit:

Springbrook Road in its entirety, Applewood Road from a line connecting the westernmost corner of Lot No. 343 with a point on the southernmost line of Lot No. 247 which point is 23.92 feet from the southernmost corner of Lot No. 276, northeasterly its entire length within the Plat of Springwood, Section 11, and Peartree Lane from a line connecting the southernmost lines of Lots No. 247 and 298, northerly to its intersection with Springbrook Road, all located within the Plat of Springwood, Section 11, a subdivision to Fort Wayne, Indiana, recorded in Plat Book 30, Page 72 in the Office of the Recorder of Allen County, Indiana, also.

Lots No. 247 thru 276 inclusive and Lots No. 298 thru 343 inclusive in the Plat of Springwood, Section 11, a subdivision of Fort Wayne, Indiana, recorded in Plat Book 30, Page 72 in the Office of the Recorder of Allen County, Indiana, also.

All easements in, over or upon Lots No. 247 thru 276 inclusive and Lots No. 298 thru 343 inclusive and all easements in, over or upon those portions of Springwood Road, Applewood Road and Peartree Lane described above, located in the Plat of Springwood, Section 11, a subdivision to Fort Wayne, Indiana, recorded in Plat Book 30, Page 72 in the Office of the Recorder of Allen County, Indiana, also.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, or the recommendation of the Fort Wayne City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

VIVIAN G. SCHMIDT
Councilman
Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nickols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Date: 11-8-77

Charles W. Westerman
City Clerk
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-42-77 on the 8th day of November, 1977.

ATTEST: (SEAL)
Charles W. Westerman
City Clerk
John Nickols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of November, 1977, at the hour of 11:45 o'clock A.M., E.S.T.
Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of November, 1977, at the hour of 10:00 o'clock A.M., E.S.T.
Robert E. Armstrong
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-42-77 passed by the Common Council on the 8th day of November, 1977 and that said Ordinance was duly signed and approved by the Mayor on the 10th day of November, 1977, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 10th day of November, 1977.
CHARLES W. WESTERMAN
CITY CLERK

play Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

number of lines

number of lines

number of lines

Total number of lines in notice

OF CHARGES

lines, 1 columns wide equals 136 equivalent lines at .259 cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

IMPUTING COST

9.9
th of single column items

Size of type 5 1/2 point

number of insertions 2

Size of quad upon which type is cast 5 1/2

provision and penalties of Ch. 89, Acts 1967,

that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just no part of the same has been paid.

V. E. Gerken

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
Allen County } as:

Personally appeared before me, a notary public in and for said county and state, the undersigned V. E. GERKEN who, being duly sworn, says that she is CLERK of the

NEWS-SENTINEL

DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time(s), the dates of publication being as follows:

11/10-25/77

Subscribed and sworn to before me this 25th day of November 1977

Notary Public

My commission expires September 28, 1979

Common Council of Fort Wayne
(Governmental Unit)

To THE NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

134

2

136

COMPUTATION OF CHARGES

136 lines, 1 columns wide equals 136 equivalent lines at .259 cents per line

35.22

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

36.72

DATA FOR COMPUTING COST

Width of single column 9.9 ems

Size of type 5 1/2 point

Number of insertions 2

Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date November 25, 1977

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned V.E. GERKEN who, being duly sworn, says that she is CLERK of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 times, the dates of publication being as follows:

11/18-25/77

Subscribed and sworn to before me this 25th day of November 1977

Notary Public

My commission expires September 28, 1979

Notice is hereby given that on the 8th day of November, 1977, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-77, 1975, G-42-77 General Ordinance, to-wit:

BILL NO. G-77-8-25
GENERAL ORDINANCE NO. G-42-77 AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of subdivision, street and easement.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA: SECTION 1. Petition for the vacation of a certain subdivision, street and easement having been filed with the Fort Wayne City Plan Commission in accordance with Section 24, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts 1963 of the General Assembly of the State of Indiana, I.C. 18-7.5-46, the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following, to-wit:

Springbrook Road in its entirety, Applewood Road from a line connecting the westernmost corner of Lot No. 343 with a point on the southernmost line of Lot No. 276 which point is 23.92 feet from the southernmost corner of Lot No. 276, northeasterly, its entire length within the Plat of Springwood, Section 11, and Pearls Lane from a line connecting the southernmost lines of Lots 2, 275 and 298, northerly to its intersection with Springbrook Road, all located within the Plat of Springwood, Sec-

WITNESS my hand and official seal of the City of Fort Wayne, Indiana, this 10th day of November, 1977.
CHARLES W. WESTERMAN
CITY CLERK

Common Council of Fort Wayne
(Governmental Unit)To JOURNAL-GAZETTE Dr.Allen County, Ind.FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

number of lines 334number of lines 134number of lines 2Total number of lines in notice 136

CHARGES

6 lines, 1 columns wide equals 136 equivalent lines at 25¢ cents per line \$ 35.22

Additional charge for notices containing rule or tabular work (50 per cent of above) (nt)

Charge for extra proofs of publication (50 cents for each proof in excess of two) 1.50

TOTAL AMOUNT OF CLAIM \$ 36.72

PUTTING COST

9.9 of single column 11 ems Size of type 5 1/2 point

Number of insertions 2 Size of quad upon which type is cast 5 1/2

Provision and penalties of Ch. 89, Acts 1967,

That the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just part of the same has been paid.

Title ARVILLA DEWALD CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
ALLEN County } ss:Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERKJOURNAL-GAZETTE a DAILY newspaper of general circulation printed and publishedin the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 8, the dates of publication being as follows: 11/18-25/77Subscribed and sworn to before me this 25th day of November 1977My commission expires September 26, 1979

Notice is hereby given that on the 8th day of November, 1977, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-47-77, G-47-77 General Ordinance, to-wit:

BILL NO. G-47-77-25
GENERAL ORDINANCE NO. G-47-77
AN ORDINANCE amending General Ordinance No. G-47 by authorizing the vacation of subdivision, street and easement.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain subdivision, street and easement having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts 1963 of the General Assembly of the State of Indiana, i.e. 18-7-54, the Thoroughfare Plan as set forth in General Ordinance No. G-47 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following, to-wit:

Springwood Road in its entirety, Appletree Road from a line connecting the westernmost corner of Lot No. 343 with a point on the southernmost line of Lot No. 276 which point is 23.92 feet from the southernmost corner of Lot No. 276, northerly its entire length within the Plat of Springwood, Section 11, and Peartree Lane from a line connecting the southernmost lines of Lots No. 247 and 296, northerly to its intersection with Springwood Road, all situated within the Plat of Springwood, Section 11, a subdivision of Fort Wayne, Indiana, recorded in Plat Book 30, Page 73, in the Office of the Recorder of Allen County, Indiana, also.

Lots No. 247 thru 276 inclusive and Lots No. 296 thru 343 inclusive and all easements in, over or upon those portions of Springwood Road, Appletree Road and Peartree Lane described above, located in the Plat of Springwood, Section 11, a subdivision of Fort Wayne, Indiana, recorded in Plat Book 30, Page 73 in the Office of the Recorder of Allen County, Indiana.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance or the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

VIVIAN G. SCHMIDT
Councilman
Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nickols, D. Schmidt, V. Schmidt, Slicker, Talarico
Nays: None
Date: 11-8-77

Charles W. Westernman
City Clerk
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, General Ordinance No. G-47-77 on the 8th day of November, 1977.

ATTEST: (SEAL)
Charles W. Westernman
City Clerk
John Nickols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of November, 1977, at the hour of 11:45 o'clock A.M., E.S.T.

Charles W. Westernman
City Clerk
Approved and signed by me this 10th day of November, 1977, at the hour of 10:08 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor
I, Charles W. Westernman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-47-77 passed by the Common Council on the 8th day of November, 1977, and that said Ordinance was duly signed and approved by the Mayor on the 10th day of November, 1977, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 10th day of November, 1977.

CHARLES W. WESTERMAN
CITY CLERK

Common Council of Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head	number of lines	<u>337</u>
Body	number of lines	<u>134</u>
Tail	number of lines	<u>2</u>
Total number of lines in notice		<u>136</u>

COMPUTATION OF CHARGES

136 lines, 7 columns wide equals 136 equivalent lines at 259¢ cents per line \$ 35.22

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) 1.50

TOTAL AMOUNT OF CLAIM

\$ 36.72

DATA FOR COMPUTING COST

Width of single column 9.9 emsSize of type 5 1/2 pointNumber of insertions 2Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date November 25, 1977Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
ALLEN County } ss:Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of theJOURNAL-GAZETTE
a DAILY newspaper of general circulation printed and publishedin the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 2, the dates of publication being as follows:11/18-25/77Subscribed and sworn to before me this 25th day of November, 1977My commission expires September 28, 1979

Notary Public

CH COPY OF
SEMENT HERE

Notice is hereby given that on the 8th day of November, 1977, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-77-98-35, G-42-77 General Ordinance, to-wit:

BILL NO. G-77-98-35
GENERAL ORDINANCE NO. G-42-77
AN ORDINANCE amending General Ordinance No. G-77 by authorizing the vacation of subdivision, street and easement having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts 1963 of the General Assembly of the State of Indiana, I.C. 18-7-5-46, the Thoroughfare Plan as set forth in General Ordinance No. G-77 adopted by the Common Council of the City of Fort Wayne on November 28, 1963, is amended by deleting the following, to-wit:

1. Springbrook Road in its entirety,
2. Applewood Road from a line connecting the westernmost corner of Lot 7, No. 543 with a point on the southernmost line of Lot No. 276 which point is 23.92 feet from the southernmost corner of Lot No. 276, northeasterly to its entire length within the Plat of Springwood, Section 11, and Pearntree of Lane from a line connecting the southernmost line of Lot No. 276, to the southeast corner of the City of Fort Wayne, Indiana, this 10th day of November, 1977.

CHARLES W. WESTERMAN
CITY CLERK